

UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID M. KENNEDY

Plaintiff,
vs. Civil Action No. 2:05-CV-01764-GLL

NORFOLK SOUTHERN RAILWAY COMPANY

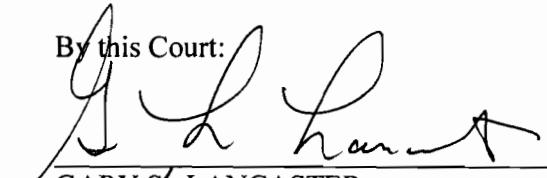
Defendant Hon. Gary L. Lancaster

ORDER OF THE COURT

AND NOW, to wit, this 29th day of March, 2007, upon consideration of Plaintiff's Motion to Compel Discovery Deposition Testimony, it is hereby ORDERED that said motion is GRANTED. Defendant is hereby ordered to produce for further deposition William J. McMahon, Gary Lee Sipes, Richard F. Jameson, Jr., David Lee Voght and Edward Eugene Herrick to be further queried in the areas that was precluded from investigating at the time of their first deposition.

In addition, Defendant is hereby ordered to reimburse the expenses incurred by Plaintiff's counsel for gas mileage, meals, and hotel accommodations for having to travel from Buffalo, New York to Pittsburgh, PA to conduct further depositions.

By this Court:



GARY S. LANCASTER
U.S. District Judge